

**ZONING COMMITTEE  
MINUTES  
WEDNESDAY, OCTOBER 15, 2008**

The regularly scheduled meeting of the Zoning Committee was held on **Wednesday, October 15, 2008** in Committee Room 2, at 11:00 a.m.

The following members were present:

**The Honorable Ivory Lee Young, Jr., Chair  
The Honorable Howard Shook  
The Honorable Carla Smith  
The Honorable Joyce Sheperd  
The Honorable Anne Fauver**

The following members were absent:

**The Honorable Natalyn Archibong, Vice Chair  
The Honorable C. T. Martin**

Others present at the meeting were: Zoning Administrator Charletta Wilson-Jacks, Department of Planning and Community Development; City Attorney Peter Andrews, Law Department; and members of the Public and Council staff.

- A. ADOPTION OF AGENDA - ADOPTED BY ADDING 2 PIECES OF LEGISLATION**
- B. APPROVAL OF MINUTES - APPROVED**
- C. PAPERS HELD IN COMMITTEE**

06-O-0273 ( 1)     An Ordinance by Councilmembers Carla Smith, Ivory Lee Young, Jr. and Cleta Winslow correcting Ordinance Number 04-O-0179/Z-04-24 which amended Section 16-29.001(16) "Human Services" including Personal Care Homes, Rehabilitation Centers and Nursing Homes by clarifying and/or redefining certain terms; and for other purposes. **(Held 2/1/06 for further review)**

**HELD**

06-O-0007 ( 2)     An Ordinance by Councilmember Carla Smith  
**Z-05-65**            **as amended by Zoning Committee** to rezone the portion of the property located at **1821 W. Anderson Avenue** that is zoned R-4 (Single Family Residential) to the O-I (Office Institutional) Classification, to issue a Special Use Permit for the subject property; and for other purposes. **(Held**

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C. PAPERS HELD IN COMMITTEE (CONT'D)

6/28/06 at the request of Councilmember of the District)

HELD

06-O-0022 ( 3) An Ordinance by Councilmember Carla Smith  
U-05-22 to issue a Special Use Permit for a Nursing Home at 1821 W. Anderson Avenue (a.k.a. 31 Anderson Avenue); to waive the 2,000 foot distance requirement for this location; and for other purposes. **(Held 6/28/06 at the request of Councilmember of the District)**

HELD

06-O-0955 ( 4) A **Substitute** Ordinance by Zoning Committee to rezone from  
Z-06-44 the I-1-C (Light Industrial-Conditional) District to the MR5-A (Multi-Family Residential) District, property located at 1155 Hill Street, SE, fronting approximately 350 feet on the west side of Hill Street and approximately 272 feet on the north side of Englewood Avenue. **(Held 11/1/06 at the request of District Council Person)**

Depth: Varies  
Area: Approximately 8.719 Acres  
Land Lot: 55, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Jack and Harvey Taffel  
Applicant: Chaz E. Waters/Skyline Partners, LLC.  
**NPU-Y Council District 1**

HELD

06-O-1927 ( 5) An Ordinance by Councilmembers Howard Shook, H. Lamar Willis, Jim Maddox and Ceasar C. Mitchell **as substituted by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta, As Amended, so as to create a New Chapter to be entitled, 8B, Fulton County Townhouse Residential; to establish design guidelines for said District; to enact, by reference and incorporation, a Map establishing the boundaries of said District for the Cascade Glenn; to amend the City of Atlanta Zoning Maps; to modify the zoning process for annexations; and for other purposes.

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C. PAPERS HELD IN COMMITTEE (CONT'D)

(Forwarded with no recommendation by Zoning Committee 9/13/06) (Referred back by Council 12/04/06) (Held 12/13/06 for further review)

HELD

07-O-0396 ( 6)  
**CDP-07-09**

An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **349 14<sup>th</sup> Street**, from the "Low Density Commercial" Land Use Designation; to the "Mixed-Use" Land Use Designation; and for other purposes. **(1<sup>st</sup> Quarter CDP Public Hearing held 3/12/07) (Held 3/13/07 awaiting companion Zoning legislation) (Favorable by CD/HR Committee 3/27/07) (Held 3/28/07 at the request of the applicant)**

**NPU-E**

**Council District 2**

HELD

07-O-0148 ( 7)  
**Z-06-138**

An **Amended** Ordinance by Zoning Committee to rezone from the C-2 (Commercial Service) District to the MRC-3-C (Mixed Residential-Commercial Conditional) District, property located at **349 Fourteenth Street, NW**, fronting approximately 134 feet on the south side of 14<sup>th</sup> Street, at the southwest corner. **(Held 3/28/07 at the request of the applicant)**

Depth: Approximately 152 Feet

Area: Approximately 0.47 Acre

Land Lot: 149, 17<sup>th</sup> District, Fulton County, Georgia

Owner: Julian W. Rikard

Applicant: Michael Gamble

**NPU-E**

**Council District 2**

HELD

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**C. PAPERS HELD IN COMMITTEE (CONT'D)**

06-O-1445 ( 8)  
Z-06-74

An Ordinance by Zoning Committee to rezone from the R-G-3 (Residential General-Sector 3) District to the PD-MU (Planned Development-Mixed Use) District, property located at **3700 Martin Luther King, Jr. Drive, SW**, fronting approximately 474.25 feet on the south side of Martin Luther King, Jr. Drive beginning approximately 183 feet from the southwest corner of Adamsville Drive. **(Held 5/2/07 at the request of Councilmember of the District)**

Depth: Varies  
Area: Approximately 27 Acres  
Land Lot: 15, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: Atlanta Neighborhood Development Partnership  
Applicant: Marvin Greer

**NPU-H** **Council District 10**

**HELD**

06-O-2308 ( 9)  
**Z-06-113**

An Ordinance by Zoning Committee to rezone from the SPI-6 (Poncey Highland Special Public Interest) District to the C-1 (Community Business) District, property located at **863 Ponce de Leon (rear), NE**, fronting approximately 63 feet on the east side of Barnett Street, beginning 150 feet from the westerly corner of Barnett Street and Ponce de Leon Avenue. **(Filed by ZRB and Zoning Committee 5/20/07) (Referred by back by Full Council 6/4/07) (Held 6/13/07)**

Depth: Approximately 74 Feet  
 Area: Approximately 0.861 Acre  
 Land Lot: 17, 14<sup>th</sup> District, Fulton County, Georgia  
 Owner: Robert T. Budd  
 Applicant: Kevin A. Ross

**NPU-N** **Council District 2**

HELD

06-O-1888 (10) <b>CDP-06-65</b>	An Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the <u>City of Atlanta's 2004-2019 Comprehensive Development Plan</u> (CDP) so as to re-designate property located at <b><u>3700 Martin Luther King, Jr. Drive, SW</u></b> , from the "Medium
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**C. PAPERS HELD IN COMMITTEE (CONT'D)**

Density Residential" Land Use Designation to the "Mixed-Use" Land Use Designation; and for other purposes. **(Public Hearing held 9/11/06) (Filed by CD/HR Committee 11/27/07)**  
**NPU-H Council District 1**

**HELD**

- 07-O-2594 (11) An Ordinance by Councilmember Kwanza Hall requesting that Chapter 28A.010 of the Code Ordinances, the Sign Ordinance, Subsection (12) Special Public Interest District 1 (Central Core) District of the City of Atlanta Zoning Ordinance be waived to allow for the construction of two (2) Signs at 100 Auburn Avenue, NE; and for other purposes. **(Held 12/12/07)**

**HELD**

- 06-O-2697 (12) An Ordinance by Councilmember Carla Smith to amend  
**Z-06-144** Chapter 28 of Part 16 of the Atlanta City Land Development Code to provide for density increases in exchange for affordable workforce housing; to define certain terms; to provide limitations and requirements; and for other purposes. **(Held 1/30/08)**

**HELD**

- 08-O-1452 (13) An Ordinance by Councilmember Joyce Sheperd **as**  
**Z-08-55** **substituted (2) by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta by rezoning certain properties from C-1 (Community Business District)/BeltLine Overlay District, RLC (Residential Limited Commercial)/BeltLine Overlay District, and R-4 (Single-Family Residential)/BeltLine Overlay Districts within the Capitol View and Capitol View Manor Neighborhoods to the NC-9 Dill Avenue-Metropolitan Parkway Neighborhood Commercial District/BeltLine Overlay District; and for other purposes. **(Held 10/1/08)**

**FAVORABLE ON SUBSTITUTE #2**

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**C. PAPERS HELD IN COMMITTEE (CONT'D)**

08-O-1453 (14) An Ordinance by Councilmember Joyce Sheperd **as**  
**Z-08-54** **substituted (2) by Zoning Committee** to amend the 1982 Zoning Ordinance of the City of Atlanta by rezoning certain properties from I-1 (Light Industrial)/BeltLine Overlay District, C-1 (Community Business)/BeltLine Overlay District, and R-4 (Single-Family Residential)/BeltLine Overlay Districts within the Capitol View Neighborhood to the NC-8 Dill Avenue-Sylvan Road Neighborhood Commercial District/BeltLine Overlay District; and for other purposes. **(Held 10/1/08)**

**FAVORABLE ON SUBSTITUTE #2**

08-O-1009 (15) An Ordinance by Community Development/Human  
**CDP-08-22** Resources Committee to amend the Land Use Element of the City of Atlanta 2008 Atlanta Strategic Action Plan (ASAP) so as to re-designate property that is located at **1040 Grant Street**, from "Industrial" Land Use Designation to "Mixed Use" Land Use Designation; and for other purposes. **(Public Hearings held 6/9/08 and 9/8/08) (Favorable by CD/HR Committee 9/9/08) (Favorable by Zoning Committee 9/10/08) (Referred back by Full Council 9/15/08) (Held 10/1/08)**  
**NPU-W** **Council District 1**

**HELD**

08-O-0838 (16) An Ordinance by Councilmember Ivory L. Young,  
**Z-08-20** Jr. **as amended by Zoning Committee** to rezone from the I-1 (Light Industrial) District to the MRC-3-C (Mixed Residential-Commercial-Conditional) District, property located at **1040 Grant Street, SE**, fronting approximately 194.5 feet on the east side of Grant Street at the intersection of Grant Circle. **(Favorable by Zoning Committee 9/10/08) (Referred back by Full Council 9/15/08) (Held 10/1/08)**

Depth: Approximately 360 Feet

Area: 1.57 Acres

Land Lot: 42, 14<sup>th</sup> District, Fulton County, Georgia

Owner: David S. Stith (for Grant Street Partners)

Applicant: Caleb Racioct (for Grant Street Partners)

**NPU-W** **Council District 1**

**HELD**

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#### **D. ITEMS NOT ON THE AGENDA**

08-O-0319 ( 1)  
CDP-08-05

A **Substitute** Ordinance by Community Development/Human Resources Committee to amend the Land Use Element of the City of Atlanta 2004-2019 Comprehensive Development Plan (CDP) so as to re-designate property that is located at **880 Glenwood Avenue, SE**, from "Industrial" Land Use Designation to the "Mixed Use" Land Use Designation; and for other purposes. **(Held 2/26/08) (CDP Amendment Public Hearings held 3/10/08 and 6/9/08) (Substituted and held on 3/11/08) (Favorable on substitute by CD/HR Committee 10/14/08)**

**NPU-W** **Council District 1**

FAVORABLE ON SUBSTITUTE

08-O-0097 ( 2)  
Z-07-121

An **Amended** Ordinance by Zoning Committee to rezone from the I-2 (Heavy Industrial) District to the MRC-3-C (Mixed Residential Commercial-Conditional) District, property located at **880 Glenwood Avenue, SE**, fronting approximately 202 feet on the north side of Glenwood Avenue and at the intersection of Glenwood Avenue and Chester Avenue.

Depth: 820 Feet  
Area: Approximately 4.2 Acres  
Land Lot: 12, 14<sup>th</sup> District, Fulton County, Georgia  
Owner: The Trust for Public Land, Inc.  
Applicant: Capital 33, LLC  
By: Sharon A. Gay

**NPU-W Council District 1**


**FAVORABLE AS AMENDED**

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**There being no further business to come before the Zoning Committee the meeting was adjourned at 11:10 a.m.**

**Respectfully submitted:**

  
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**Angela H. Campbell, Legislative Secretary**

  
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**Alfred Berry, Jr., Research & Policy Analyst**

  
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**The Honorable Ivory L. Young, Jr., Chair**